

Communicator

■ WINTER, 2017

Physicians Caring for Kentucky

Tort Reform on the Agenda

Legislative Changes Bring New Opportunity for Health Care-Related Issues

A new look to the Kentucky House of Representatives offers new opportunities for legislation important to physicians in the 2017 session of the Kentucky General Assembly, which convenes Tuesday, Jan. 3, and continues for 30 legislative days.

Republicans gained control of the House for the first time in nearly 100 years; they now have a 64-36 supermajority advantage to match the supermajority Republicans have held in the Senate for many years. Early indications suggest the Republicans will attempt to capitalize on their control of the Governor's Office and both chambers of the legislature to pursue an aggressive legislative agenda, one that is likely to produce very spirited discussion and debate on a variety of issues, including some related to health care.

KMA has established a set of priorities that emphasize improved public health, increased patient safety and a fairer legal system for health care providers.

Tort Reform: KMA has long supported efforts to improve Kentucky's medical liability climate. During the 2017 legislative session, tort reform will continue to be a top priority as KMA and other stakeholders, such as the Kentucky Hospital Association and the Kentucky Chamber of Commerce, advocate for common sense medical liability and lawsuit reform that will create a more fair and consistent climate



Republicans will have a 64-36 supermajority in the Kentucky House chamber when the legislature convenes in January. Among the health care-related issues on the agenda—tort reform. *Photo by Scott Beale / Laughing Squid at laughingsquid.com*

for providers.

Smoking Cessation: Kentucky still has one of the nation's highest smoking rates and, as a result, the state spends \$1.92 billion annually in smoking-related health care expenditures. KMA will continue to take a leading role in addressing this serious public health issue. Specifically, KMA will support legislation designed to ensure comprehensive smoking

cessation coverage for both the private insurance and Medicaid populations that is free of any barriers to patient access.

Domestic Violence Reporting: Domestic and dating violence remains an issue in Kentucky. Kentucky's mandatory reporting law requires any person, including physicians, who knows of or suspects spouse abuse to report such (See **LEGISLATURE**, Page 3)

P2 / PRESIDENT'S MESSAGE

KMA President Nancy Swikert, M.D., discusses how you can get involved during the legislative session to pass pro-medicine legislation in Kentucky.

P4 / MIPS AND MACRA

Are you ready for the changes in Medicare reimbursement? Learn how to avoid a negative payment adjustment with the new quality payment program.

P5 / FOCUS ON HEALTH

Focus on Health, KMA's patient newsletter, delves into the problem of misuse of prescription drugs and highlights KMA's Know Your Meds KY campaign.

P7 / COMMUNITY CONNECTORS

Evelyn Montgomery Jones, M.D., has been exposed to good leadership throughout her life.



President's Message

Legislature in Session How You Can Help

The new session of the legislature begins Jan. 3-6, 2017, breaks, then resumes Feb. 7 for a total of 30 days with session to end March 30, 2017. This is a historic year in that the House of Representatives has flipped from a Democratic majority to a Republican majority for the first time in more than 100 years.

Your KMA leadership and lobbyist are gearing up for the new session now. It is very important that we help pass laws that continue to protect the residents of Kentucky, especially related to medicine. We can't do this alone. We desperately need your help. So, how can you help?

Things you can do:

1. Get to know your local legislators. Local legislators listen to their constituents first because you vote for them. That vote carries a strong influencing factor. KMA leadership can meet with the same legislator, but we don't carry the vote factor.

2. Meet with your local legislator for a cup of coffee or during their lunch. Legislators are small businessmen/women just like you.

They have jobs outside of the legislator. We have found they are very amenable to meeting with their constituents for a cup of coffee before work or other brief contact.

3. Keep visits brief and friendly. Most first contact visits for coffee or such are just "meet and greet" visits. Introduce yourself and get to know your legislator as a peer—what job do they do? What are their interests?

4. Leave a business card. I usually leave my business card and offer to be available for any questions that come up with bills related to medicine. I acknowledge that they deal with a lot of bills and it is hard to know everything about all areas. Most legislators will then give you a business card with contact info. This is important for future contact about bills of concern.

5. Read your legislative newsletters/emails. During the legislative session, KMA leadership/lobbyist will give you regular updates on important issues that are coming up. If you read these emails, you will be kept up to date on issues in general. This makes it easier to know what is going on and needed.

6. Call the legislative hotline. During the legislative session, bills may move quickly. Frequently, we need you to make a simple phone call to support or oppose a bill affecting the practice of medicine. This phone call generates a "green slip message." Legislators count the number of green slip messages they have on a bill before they vote. This phone call is done to a receptionist in Frankfort. The receptionist will not ask you any questions about the bill. They usually ask you for your home address. They then will ask whom you want your message to go to. You can send your message to one legislator, example: Sen. X, or you can send it to all your legislators, example: your county caucus. I usually leave my message for my county caucus to get more bang for my buck. Then you leave your message of support or opposition and you are done. It usually takes no more than 5 minutes but is extremely helpful. This legislative hotline (800-372-7181) is usually open until 6-7 p.m. Eastern time for ease of calling.

7. Donate to the Kentucky Physicians PAC (KPPAC). An overwhelming majority of pro-medicine candidates supported by KPPAC get elected to office. We need your help in order to continue the success rate KPPAC has enjoyed in recent election cycles. Contributing is easy and the most

effective means for physicians to become active participants in the electoral process. I respectfully ask you to consider making a contribution so that KPPAC can continue its support for pro-medicine candidates. KPPAC's strategy to help elect such candidates works, and it works because of your contributions and involvement. If you would like to make a contribution to KPPAC, please contact KPPAC Administrator Laura Hartz for more information.

8. Thank your legislator. When your legislator votes for a bill you support, drop them a note to thank them. They are people just like us and like to know you appreciate their work. You also can meet them for that cup of coffee and thank them in person.

9. Make a special request when needed. During the session, bills that are very important to medicine will come up and, if your legislator is on a committee dealing with that bill or is sponsoring that bill, we will ask you to meet in person or personally call your legislator to ask them to support/oppose a bill. KMA will gladly give you talking points on that bill if you request them. That will give you with the information you need to talk with your legislator. KMA never wants you to do something unprepared.

10. Visit your legislator in Frankfort. Many physicians have limited time to go to Frankfort to visit with their legislator or feel nervous about meeting with a legislator in Frankfort alone. KMA provides a "Physicians' Day at the Capitol" to help you if you want to visit with your legislator in Frankfort. This year's event is Wednesday, Feb. 22. KMA will also provide an optional lunch and CME in the afternoon. To register for the event, please visit the KMA website. To set up meetings with your legislators, call the Legislative Research Commission at 502-564-8100 and ask for your legislators' offices. Not sure who your legislators are? Simply call KMA and we can help you identify your legislator as well as provide you with talking points and additional support.

Many bills address regulations on medicine or have a financial impact on your practice. So, hopefully this list of tips will help you get more prepared to help pass bills that positively affect both medicine and the running your practice.

NANCY SWIKERT, M.D.
2017 KMA President

MIPS and MACRA — The Time is Now!

Starting in 2017, physicians must make an important decision each year—one that will affect Medicare reimbursements.

The new Medicare Quality Payment Program, which includes the Merit Based Incentive Payment System (MIPS), has an implementation date of Jan. 1, 2019, but physicians must take action starting in 2017 to avoid payment reductions or have a chance to receive payment incentives in 2019 of up to 4 percent.

“Due to the advocacy efforts of the American Medical Association, the Kentucky Medical Association and physicians across the country, Medicare has made a number of positive changes to the final regulations for the Medicare Accountability and CHIP Reauthorization Act,” said Lindy Lady, KMA’s Medical Business Advocacy manager.

Lady will explain these changes impacting reimbursement for physicians who participate in Medicare in a fast-paced one-hour presentation at the KMA Physicians’ Day at the Capitol Feb. 22.

“MIPS and MACRA – The Time is Now” will include discussion of “several steps physicians can take to avoid a penalty and increase their positive payment adjustments in 2019,” Lady said.

“If physicians submit at least one quality measure for one patient or one practice improvement activity measure in 2017, they will avoid a penalty

in 2019,” said Lady.

An example of a quality measure that may be reported by any physician specialty is tobacco intervention and cessation counseling. If physicians integrate prevention and treatment interventions, including tobacco use screening and cessation for patients with co-occurring conditions, they may get credit under the practice improvement category.

If physicians don’t take any action, they will receive a negative 4 percent payment adjustment.

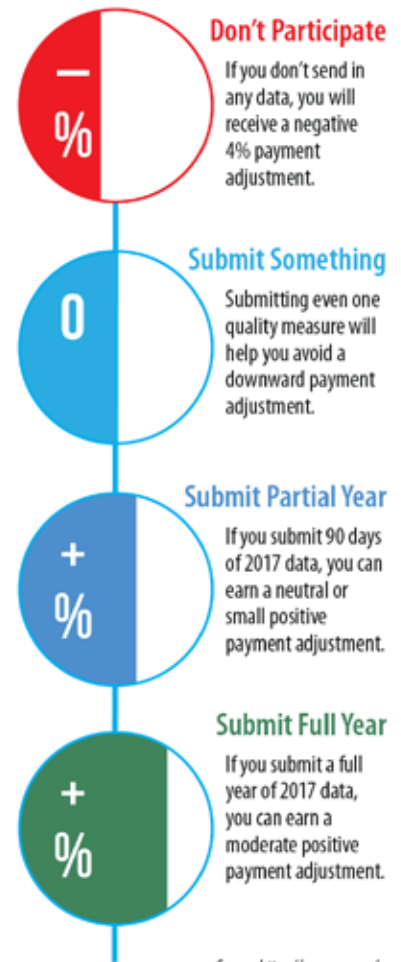
“If Medicare patients make up 25 percent of their practice—over 12 months, that’s quite a bit of money,” Lady said.

Another measurement that will influence payment reimbursement is physician ratings on the Physician Compare website at www.medicare.gov/PhysicianCompare. Patients will rate their experiences on a scale of 1 to 5 on such things as timely care and medication instructions.

“Physicians should monitor this website to protect their reputation against misinformation and mistakes,” Lady said.

Lady will give her presentation at the Thomas D. Clark Center for Kentucky History from 12:15 to 1:15 p.m.; lunch is included. Participants will earn one CME credit hour. Visit www.kyma.org to register.

PICK YOUR PACE



Source: <https://qpp.cms.gov/>

Legislature Convenes in January; Ways to Get Involved

(Continued from Page 1)

information to the Cabinet for Health and Family Services. Unfortunately, the law has not been as effective as originally intended when it was passed in 1978. To more effectively deal with abuse reporting, the Kentucky Coalition Against Domestic Violence will propose legislation in 2017 that will amend the law.

Instead of reporting to the Cabinet for Health and Family Services, physicians would simply provide victims with easily accessible referral information for the regional domestic violence programs or rape crisis centers. In addition, any physician who provides a referral would document the injuries in the patient’s medical record. The goal of this legislation is to identify victims of domestic and dating violence, link those victims to services, and provide protective services for those who choose to accept them. KMA considers this initiative to be a top priority and will support its passage in the upcoming legislative session.

KMA experienced one of its best legislative

Get Involved

Subscribe to the KMA Legislative Alert. Email legislativebulletin@kyma.org.

“Like” KMA on Facebook (www.facebook.com/kymedassn)

Follow KMA on Twitter (www.twitter.com/kymedassoc) and LinkedIn (Kentucky Medical Association).

Attend KMA Physicians’ Day at the Capitol on Wednesday, Feb. 22.

sessions in years in 2016. Four major priorities, dealing with issues ranging from maintenance of certification to fair contracting, were adopted by the General Assembly. KMA was able to meet these legislative objectives by maintaining a focus on issues important to physicians and by seeking greater involvement from the Association’s greatest asset—its members. Members responded by engaging their legislators through phone calls, emails and in-person visits. This type of membership-driven grassroots advocacy can and does play a critical role in the success of the Association’s legislative agenda.

“Success breeds success” is a term used in the Spring Issue of the *Communicator* to express hope in what can be accomplished in the 2017 legislative session. Despite the success of 2016 and the momentum that was established, membership involvement will once again prove to be a key component of KMA’s advocacy efforts.

KMA is here to assist. The Association has developed advocacy toolkits to support its three legislative priorities. The toolkits include one-page issue summaries, talking points, recommended steps for legislator meetings and other advocacy tips. Members can download these materials from the KMA website (kyma.org) and are urged to contact their legislators to advance these very important issues.

KMA looks forward to representing you in what is expected to be a lively legislative cycle and thanks you in advance for your participation in the Association’s advocacy efforts.

From the KBML

It's the Beginning of 2017; Time to Renew Your License



RANDEL GIBSON, DO
President,
Kentucky Board
of Medical Licensure

2017 is finally upon us and for the Kentucky Board of Medical Licensure, this time of the year signifies the beginning of the annual licensure renewal cycle for all licensed physicians in the Commonwealth. In December, licensed physicians should have received a notice by mail with instructions to renew his/her license for 2017. In order to complete the renewal process, physicians are required to verify and update their unique licensure information and pay a renewal fee of \$150. Physicians that choose to renew via paper application must pay an additional fee of \$10.

The link to renew your medical or osteopathic

license is available on the Board's website, www.kbml.ky.gov. The Board encourages physicians to take a few moments to complete their renewal application as early as possible so that it does not interfere with your practice. The process is simple and should only take a few minutes. If you have questions, please don't hesitate to contact the Board office at (502) 429-7150.

The Board would also like to take this opportunity to remind physicians about its quarterly newsletter, which is available on the Board's website. In order to control costs, the link to the newsletter is emailed to physicians. The newsletter offers a wealth of information from updates on licensure issues to information about regulatory changes. For instance, the fall 2016 newsletter focused on issues related to prescribing of controlled substances and contained information related to the letter from the Surgeon General, concerns related to urine drug screening and physicians reporting to KASPER. The newsletter serves as one of the

Board's most effective mediums to communicate with physicians and we encourage all physicians to review it on a regular basis.

The Board's website is another important resource with information for physicians. Not only can you renew your license or review a newsletter, but you can also find information regarding the Board's meeting dates, regulations and helpful information on matters related to prescribing. The website is updated on a daily basis and is one of the most visited sites in state government.

Finally, I would like to note what an honor it is to serve on the Board of Medical Licensure and to be recently elected as president. I strongly believe in the Board's mission of protecting the public; however, I also believe the Board should serve as a support for its licensees as well. I look forward to serving the Board in my new role and continuing to collaborate with the KMA and KOMA on issues related to the practice of medicine and the patients we serve.

7 out of 8 readers who call *Kentucky Monthly* want to renew their PRESCRIPTION.



A
SUBSCRIPTION
is something
you want to
have, but a
PRESCRIPTION
is something
you can't
live without.



Kentucky Monthly magazine highlights the people, places and events that make the Bluegrass State such a wonderful place to visit or call home.

Get Your Subscription Today! \$20 for 1 Year or \$45 for 3 Years!

7 out of 8 readers can't be wrong!

Kentucky
Monthly

KENTUCKYMONTHLY.COM

FOCUS_{on}health

WINTER, 2017

Physicians Caring for Kentucky

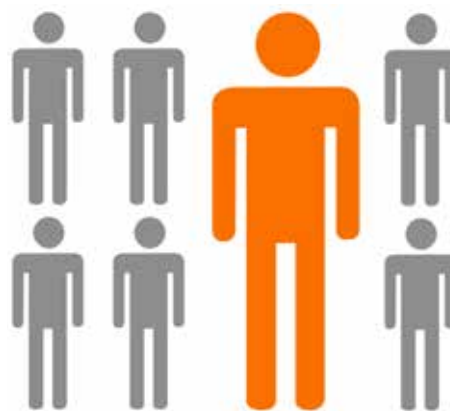
KNOW YOUR MEDS KY: SUBSTANCE ABUSE PROBLEMS RISING ACROSS KENTUCKY, U.S.

A new report from the U.S. Surgeon General, "Facing Addiction in America," shines a new light on substance misuse and addiction at a critical time.

More than 27 million people across the U.S. reported current use of illicit drugs or misuse of prescription drugs.

In Kentucky, 1,248 people died from drug overdose in 2015, up from 1,071 in 2014, according to a report from the Kentucky Office of Drug Control Policy. The largest demographic involved in overdose deaths were adults ages 45 to 54. The use of heroin was involved in 28 percent of the deaths across the commonwealth, while fentanyl, either combined with heroin or alone, was involved in 34 percent of all deaths.

The Surgeon General's report defines substance misuse as "the use of any substance in a manner, situation, amount or frequency that can cause harm to users or to those around them. Prolonged, repeated misuse of a substance can lead to a substance use disorder, a medical illness that impairs health and function. Severe and chronic use disorders are commonly referred to as addictions."



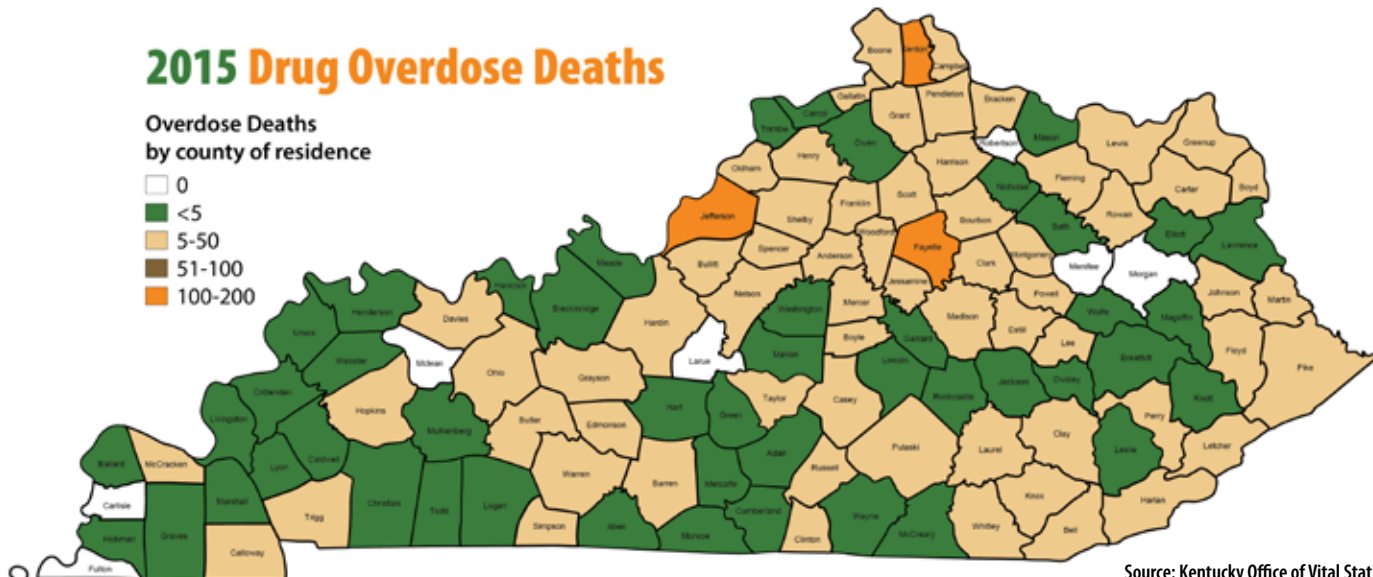
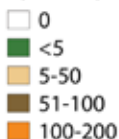
1 IN 7
PEOPLE WILL
DEVELOP A
SUBSTANCE USE
DISORDER IN
THEIR LIFETIME

Source: "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs and Health"

About three-fourths of people with a substance use disorder started using substances during adolescence, according to the report. The Kentucky Medical Association and the Kentucky Foundation for Medical Care have launched a public health campaign—"Know Your Meds KY"—stressing ways for patients to use safe; store safe; dispose safe.

2015 Drug Overdose Deaths

Overdose Deaths
by county of residence



Source: Kentucky Office of Vital Statistics

FOLLOW **3** STEPS WHEN PRESCRIBED MEDICATION FOR PAIN MANAGEMENT

USE SAFE

Opioids can be dangerous if taken improperly. Before you begin any regimen for pain management, speak with your provider about the potential side effects and risks associated with opioid use.

- Only take medicines as prescribed by your doctor.
- Discuss potential side effects with your doctor, and share any side effects that you are experiencing.
- Notify your doctor of any other medicines you are currently taking.
- Don't stop taking opioids on your own. Discuss any changes to your treatment regimen with your provider.
- Don't mix opioids with alcohol or illegal drugs.
- Never share medications with others.

STORE SAFE

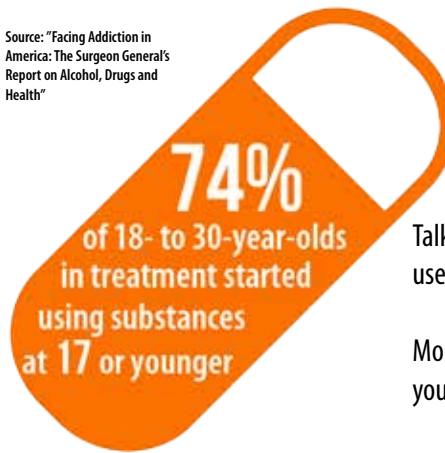
Prescription drug abuse often starts at home in the medicine cabinet.

- Secure your medications in a secure, locked location where children, teenagers, strangers and pets cannot access them.
- Be mindful of how much medicine you are taking and when so you will notice if any goes missing.
- Store medications in their original containers or packaging. Labels provide important information about proper dosage and potential side effects.
- Don't store medications in a room where humidity and temperature are constantly changing.
- Don't take prescription medicines in front of children who often mimic adults.

DISPOSE SAFE

Kentuckians can dispose of their expired or unwanted medications, both prescription and over-the-counter, at one of the state's many prescription drop boxes. There are now 190 locations in 116 counties with sites being added daily. Visit the Office of Drug Control Policy website to search for a drop box near you.

Source: "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs and Health"



TAKE ACTION

Talk to your children about the dangers of drug use, especially prescription drug use.

Monitor dosage and refills for all members of your household.

11

Average age of first time drug use in southern and eastern Kentucky, according to Operation Unite

1 in 6

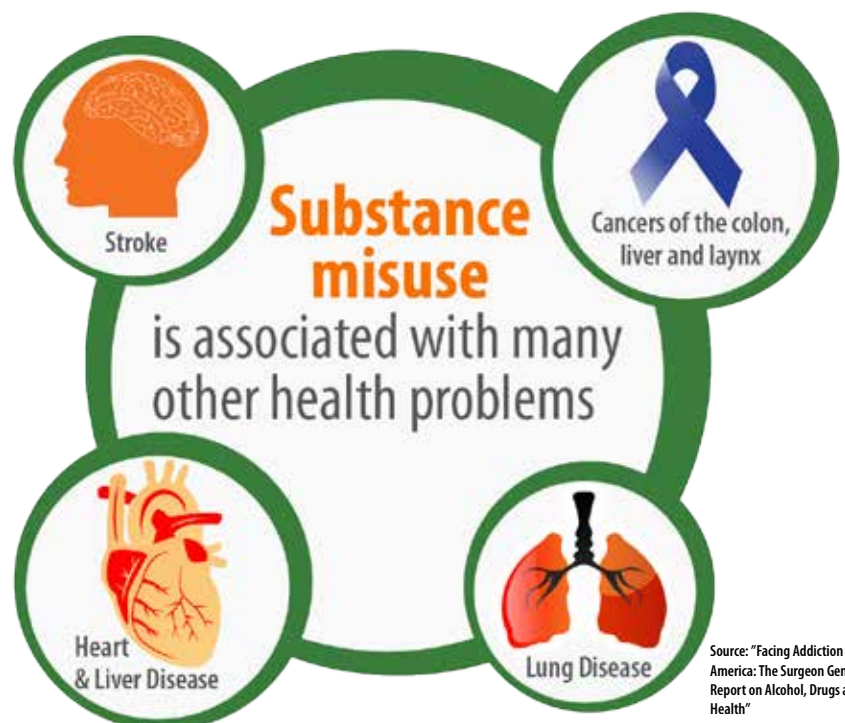
teens have used a prescription medication not prescribed to them by a doctor, according to the Partnership Attitude Tracking Study

48 million

people said they used an illicit drug or misused prescription drugs in the last year, according to "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs and Health"

2,000

teenagers every day use a prescription drug to get high for the first time, according to The Partnership at Drugfree.org



Source: "Facing Addiction in America: The Surgeon General's Report on Alcohol, Drugs and Health"

Visit kyma.org/know-your-meds-ky/

KMA Community Connectors

For Dr. Evelyn Montgomery Jones, Leadership Runs in the Family

Evelyn Montgomery Jones, M.D., believes physicians, by virtue of their positions, are automatically presumed to be leaders in their communities.

Dr. Jones, a 2016 graduate of the KMA Community Connector Leadership Program, should know. Not only has she seen that role firsthand as a dermatologist in Paducah, but she also grew up the daughter of a physician/leader, Wally Montgomery, M.D., a retired general surgeon, who served as 1985-86 KMA president and in other capacities throughout his career.

"Leadership has been in my family for a long time," Dr. Jones said. "When you're given a position or just the opportunity to influence others, I was told you do not ever take advantage of that and you humbly serve as a leader for whatever needs are put in front of you."

Dr. Jones likes the KMA Community Connector program, she said, because "it helps you remember you're a leader."

The program, which stresses community as well as medical leadership in its requirements, prompts participants to find outlets in their communities where they can make a difference, Dr. Jones said. She believes that can make a difference in a physician's outlook on the profession.

"It's easy to lose the passion of why we enjoy medicine," Dr. Jones said. Being reminded of your role as a leader, she said, "changes your mindset a little bit. Giving is where you really get such fulfillment and joy."

That feeling was instilled in Dr. Jones at an early age. She would often go to the hospital to watch her father perform surgeries. She knew then that she wanted to be a physician, and that she wanted some aspect of surgery connected to the specialty she chose. A high school biology teacher allowed her to do some very advanced science projects involving transplantation of a pancreas in guinea pigs.

"My dad would never do any of the work for me, but he taught me how to do the surgery," Dr. Jones said. "He taught me how to do the suturing. I drew my own blood from guinea pigs."

While Dr. Montgomery was advising his daughter on the surgeries, her mother, Gerry Montgomery, allowed the family's home to serve as post-op recovery area for the guinea pigs.

"As a mom now, I realize she was such a jewel



Pictured are members of the family of Evelyn Montgomery Jones, M.D., and Shawn Jones, M.D.: Beth Smith, Loren Smith, Evelyn Montgomery Jones, M.D., Shawn Curtis Jones Jr., Shawn C. Jones, M.D., Bill Jones, Gerry Montgomery, Wally O. Montgomery, M.D., and Kathy Montgomery. Photo by David Knapp



and a saint," Dr. Jones said. "That was an amazing opportunity. For my teacher at the time, the sky was the limit."

After graduating from Paducah Tilghman High School, Dr. Jones attended Georgetown College then the University of Louisville School of Medicine. Dermatology initially wasn't on her radar as far as a specialty. She just knew she wanted to do something where surgery was involved. But she also knew she wanted to be a very involved mother, in part because her mother set such a high bar—"My mother was such a wonderful and involved mother," she said.

When she was exposed to dermatology, Dr. Jones knew that was her calling. It includes a strong surgical component with the different skin cancers she removes. But it also has the added bonus of allowing Dr. Jones to treat a wide range of ages—from young children and teenagers to adults and the elderly.

The practice also gave her the ability to limit her schedule so she could be involved in her children's lives. She and her husband, Shawn

Jones, M.D., have three children—Rebecca, who is working on her PhD at Emory University in Atlanta, Shawn Curtis Jr., a first year medical student at the University of Louisville, and Caleb, a junior at UofL.

Even though the Joneses are empty-nesters, Dr. Evelyn Jones makes sure the home isn't completely empty. She mentors teenagers and leads Bible studies at her church, Southwest Church of Christ, for adult women and teens. She often has the middle school girls from her church at her home for lessons in etiquette and cooking, then take the meals to someone who is needy in the community. "We are made to give to others," Dr. Jones said. "We are not made to be arrogant or prideful or it's all about us."

Dr. Jones carries that philosophy into her office as well. Each year, her office has a theme for the year. At the Christmas party, she reveals the upcoming theme and the team discusses the past year. The 2016 theme was "Legacy" and Dr. Jones' office had a special intergenerational event for the community. While it included discussions about nutrition and a focus on health and beautiful skin, the key message was stressing value and purpose for each individual. Often, that leads to giving back.

"When we do something for someone else, when we pour into other people, at every age, we are really the ones who gain fulfillment from it," she said.



9300 Shelbyville Road, Ste. 850
Louisville, KY 40222-5178

Presorted Standard
US Postage
PAID
Louisville, KY
Permit No. 614



PHYSICIANS' DAY AT THE CAPITOL

FEBRUARY 22, 2017

Capitol Annex Building

- 8:00 a.m. Breakfast with Legislators – Cafeteria
- 9:00 a.m. Student Advocacy Presentation – Room TBD
- 9:30 a.m. Legislative Briefing – Room TBD
- 10:15 a.m. Legislator Meetings (set up by attendee)

Kentucky History Center

- 12:15 p.m. Lunch & CME – Brown-Forman Room
- 2:30 p.m. KMA Board of Trustees – Brown-Forman Room

MIPS & MACRA – The Time is Now!

What do you need to know to avoid penalties and, perhaps, earn a small positive payment adjustment in Medicare reimbursements? Find out during this CME presentation offered during the KMA Physicians' Day at the Capitol.

Visit kyma.org to register



Our PolicyOwners™ are Rewarded.

MagMutual offers industry-leading patient safety and risk management resources to reduce inherent risk for patients and healthcare practitioners. And we now offer complimentary access to UpToDate®, providing clinicians with the most current evidence-based clinical content to make the most informed treatment decisions.

We are your partner in managing risk – offering the essential coverage and support to keep you informed, safe, protected and rewarded.

Kimmie Malloy

Account Executive
MagMutual Insurance
404-842-5519

Todd Sorrell

Vice President
Medical Malpractice/Business
Insurance Epic Insurance Solutions
502-493-7947

In the practice of medicine and beyond –
MagMutual is in your corner.

www.magmutual.com

